

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

CASE NO. 2:19-cr-20246-DPH-APP-2

vs.

RICKY HANDSCHUMACHER

RICKY HANDSCHUMACHER'S SENTENCING MEMORANDUM

Defendant, Ricky Schumacher is requesting a downward variance from the sentencing guidelines for several reasons.

First, the Defendant cooperated extensively with the prosecution nine (9) months prior to the Federal Indictment and then again extensively after the Federal Indictment. The proffered information includes Co-Defendants who have pled and been sentenced.

Second, a downward variance would recognize that, based upon the Defendant's conduct for the last two (2) years, there is no need for extensive incarceration. The Defendant has been supervised, in one form or another, for the last two (2) years. The Defendant has conducted himself appropriately and complied with all requests. The Defendant has no prior record and is gainfully employed. The Defendant's history and characteristics provide grounds for a downward variance. The Defendant is employed, has two (2) children, a family and is motivated to comply and succeed.

Third, a downward variance would prevent a sentencing disparity whereby other Co-Defendants receive less time than the Defendant. The Defendant was not the participant who performed the actual acts. When contacted, the Defendant would contact another Co-Defendant who would then contact providers. The Defendant did not directly contact any providers, did not transfer any money and did not have contact with SIM cards.

The Defendant's participation was very limited, as evidenced by the seizure of the Defendant's arrests. The arrest seizure represents all of the Defendants illegal gains, with the exception of possibly up to \$5,000.00, compared to the millions stolen by the other Defendant's. Additionally, the Defendant did not know any of the other Defendants.

Fourth, a downward variance would enable additional restitution. The Defendant has demonstrated his ability to maintain gainful employment.

Fifth, a guideline sentence would be greater than necessary to deter and punish the Defendant. The Defendant's history and characteristics, as stated herein, provide grounds for a downward variance.

I HEREBY CERTIFY that on November 8, 2021, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following: **Timothy J. Wyse, Esq., and John K. Neal, Esq., Office of the United States Attorney; Shankar Ramamurthy, Esq., U.S. Department of Justice;** this 8th day of November, 2021.



D. KEITH HAMMOND, ESQ.

D. Keith Hammond, P.A.

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Attorney for Defendant

Florida Bar No. 330582



855-930-2847

11/5/2021

Re: Handschumacher, Ricky

To Whom It May Concern,

Ricky Handschumacher has been a faithful and diligent employee of NutriLawn for the past 16 months.

Ricky is known to his colleagues as a hard-working professional pest control technician, an honest and trustworthy friend, and a family man having a newborn son and delightful partner. Ricky is known to be punctual, diligent and sincere in his efforts of being vital part to our team.

Customers routinely praise Ricky's knowledge of pest control and willingness to provide perfect service. It is not uncommon for a customer to specially request Ricky due to these attributes.

In conclusion, Ricky is an important asset to NutriLawn, as well as to our community. Ricky's presence is important the day-to-day operations of the company and the customers he serves.

Warm regards,

Jonathan Simkins

Jonathan Simkins, BS
Owner & Entomologist
Insect IQ, Inc.
NutriLawn, Inc.

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Tampa, FL 33624



United States District Court

Eastern District of Michigan

Re: Defendant Ricky Handschmacher

Dear Honorable Judge Denise Page-Hood,

My name is Debra Ferrer-Handschumacher. I am the mother of the Defendant, Ricky Handschumacher. We reside in the State of Florida, Pasco County for over 23 years. Ricky has been raised by myself and without a father figure his entire life. Due to his father being an alcoholic and abandonment.

I would like to state that Ricky has never been in any type of trouble involving law enforcement in the past, never even a speeding ticket. He has never had any involvement with criminal activities and/or drugs. He graduated High School on 2011 and continues to be an asset to the community. Throughout his years of schooling, Ricky never had any type of disciplinary actions, etc. He was an outstanding baseball player, his consistency and love for baseball had gotten him recognition from the local newspapers.

My son is a very family oriented person, and the only male figure in our immediate family. Ricky loves his family. He works a full time job, 40 hours a week and is very a valuable employee to his company. Ricky is the sole provider for his two children, a daughter age 8 and a son who is almost 3 months old. He lives with his fiancée Amanda Upchurch and their son. He has 50/50 custody with his 8 year old daughter, Kali, who also resides with him during his parenting time. Rocky is a very loving and caring father to his children. Something he never had got to experience as a child. Unfortunately, Ricky's daughter's mom does suffer from mental health issues, including a past suicide attempt. His daughter's mom continues to be unstable in life. Child Protective Services have been involved with mom and the safety of his daughter. My son has lots of worry and concern for his daughter's well being and safety.

Ricky has also taken on the role and responsibility to help and assist his aging grandparents. They suffer from Alzheimer's and heart disease and he helps them with their everyday needs. I, his mom am on SSDI due to my health condition and am unable to work. I am a nurse and was employed by the Pasco Sheriff Detention Center for almost 7 years before going on SSDI.

Ricky's legal matter can cause a great deal of hardship on me and my family. I would also like to state that Ricky's legal matter started on July 18, 2018, when he was arrested by Pasco County Sheriff Dept. for this crime. He was released on bond. He was to check in weekly with the Bondsman as directed, with no problems at hand. Ricky has been wearing the GPS ankle monitor since May 2019 and checks in weekly with pre-trial officer, again with no problems. Being this legal matter started over 3 years and he has cooperated with everything that has been requested, Please take into consideration his good faith behavior.

Your Honor, I beg you for leniency, please, for my son Ricky, considering this is his 1st time ever being in trouble. Ricky has shown me and his family and friends his remorse and sorrow for the crime and what he has done.

Should any further information be needed please feel free to contact me at 727.514.1867.

Sincerely

Debra Ferrer-Handschumacher

Dear Honorable Judge Denise Page Hood,

My name is Amanda Upchurch, I am the fiancée of the defendant Ricky Handschumacher. Ricky and I just had our son Landyn on August 20th, 2021. We now have our family complete. My soon to be step daughter Kali, who is 8 years old, Ricky, myself and our son all reside in our home. On the weekends we enjoy relaxing at home, visiting our families, and doing family outings.

Unfortunately Rickys Grandparents have been diagnosed with dementia, therefore he stops by and checks in on their well being as well as physically able to help them around and help with projects/issues around the house daily.

During the week Ricky works full time, working 40 hours a week. He is always on time and has never missed a day unless he was sick. He is the most humble, reliable and hard working man I know. I couldn't ask for a better spouse or father to my children. It's unfortunate that Ricky has made a life changing mistake that he now has to live with and face the consequences. Ricky has gone through his life without a father, and it would be disheartening for our 2 children to grow up without their father. Ricky has never been involved with drugs or any criminal activity, not even a speeding ticket. Growing up and even as an adult Ricky was very active in the community. Please consider leniency regarding this case. Should any other further information be needed on my behalf, please feel free to contact me.

Sincerely,

Amanda Upchurch 727.534.9177

From: "rhands2018" <rhands2018@gmail.com>
To: hammondservice@tampabay.rr.com
Cc:
Bcc:
Priority: Normal
Date: Sunday November 7 2021 12:18:13PM
FW: letter

Sent from my T-Mobile 5G Device

----- Original message -----

From: David Ketchum Iii <dmkiii1@verizon.net>
Date: 11/7/21 11:55 AM (GMT-05:00)
To: rhands2018@gmail.com
Subject: letter

November 6, 2021

My name is David M Ketchum, I am the Operations Manager for Nutrilawn/ Insect IQ, we are based out of Oldsmar, Florida. Ricky Handschumacher is one of my employees that I personally hired in August, 2020. Ricky was hired by myself based on his previous experience in the lawn care, pest control business. Since that time he has been a very valuable part of our organization, which prides itself on customer service providing the best treatments possible for our clientele. We service over 320 individual accounts, and Ricky is our main service technician. He has been nothing short of being a model employee of our company which has been in business since 1980. Many of our customers have contacted me personally on what good service Ricky provides and that they are happy with him. I have been with Nutrilawn since 1995, and he is one of the best employees I have hired or worked with. He and I occasionally work side by side, and he has been a dependable part of our company. He is responsible for our Residential Lawn Care routes which service Pinellas, Pasco, and Hillsborough County. His character is outstanding. I have full trust in him each day as he services, handles problems and keeps our business running smoothly on a day to day basis. Feel free to contact me if you have any questions on Ricky.

Sincerely, David M Ketchum

Operations Manager Nutrilawn/Insect IQ
727-479-5202